

90th Legislative Session – 2015

Committee: House Commerce and Energy

Wednesday, February 18, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Beal
P Deutsch
P Harrison
P Hawley
P Kirschman
P Novstrup (Al)
P Stalzer
P Wiik
P Willadsen
P Wollmann
P Zikmund
P Schoenbeck, Vice-Chair
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Tim Rounds, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 11, 2015

Moved by: Beal
Second by: Wiik
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1157 UNTIL FEBRUARY 20, 2015

HB 1231: authorize the forfeiture of any financial benefit or valuables gained from prostitution or pimping.

Presented by: Representative Paula Hawks

MOTION: DO PASS HB 1231

Moved by: Schoenbeck

Second by: Wiik

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Beal, Deutsch, Harrison, Kirschman, Novstrup (Al), Stalzer, Wiik, Willadsen, Wollmann, Zikmund, Schoenbeck, Rounds

Excused: Hawley

MOTION: PLACE HB 1231 ON CONSENT CALENDAR

Moved by: Kirschman

Second by: Wiik

Action: Prevailed by voice vote.

Gavel was passed to Representative Schoenbeck, Vice Chair

HB 1162: enact the Interstate Insurance Product Regulation Compact.

Presented by: Representative Tim Rounds

Proponents: Dick Tieszen, State Farm Insurance (Handouts: #1-2)

Opponents: Larry Deiter, Department of Labor and Regulations

MOTION: DO PASS HB 1162

Moved by: Rounds

Second by: Wollmann

Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Harrison, Hawley, Novstrup (Al), Willadsen, Wollmann, Zikmund, Schoenbeck, Rounds

Voting No: Beal, Deutsch, Kirschman, Stalzer, Wiik

Gavel returned to Representative Rounds, Chair

HB 1168: revise alcoholic beverage licensing.

Presented by: Representative Steve Westra

MOTION: AMEND HB 1168

1168sa

On page 1 of the printed bill, delete line 5, and insert "Notwithstanding the provisions of § 35-4-11.1, a first class municipality may issue a hotel facility on-sale license to any hotel licensed under § 34-18-9 that has at least eighty rooms that are rented to transient guests for sleeping accommodations. The initial fee for the license is ten thousand dollars and the annual renewal fee is one thousand dollars. A hotel facility on-sale license may not be transferred to a different location."

Moved by: Schoenbeck
Second by: Zikmund
Action: Prevailed by voice vote.

MOTION: AMEND TITLE OF HB 1168

1168sta

On page 1, line 1, of the printed bill, after "licensing" insert "relating to hotel facility on-sale licenses".

Moved by: Schoenbeck
Second by: Willadsen
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1168 UNTIL FEBRUARY 20, 2015

HB 1107: revise the definition of certain alcoholic beverages that are classified as cider.

Presented by: Representative Kristin Conzet
Proponents: Bill Van Camp, Millercoors LLC

MOTION: DO PASS HB 1107

Moved by: Schoenbeck
Second by: Wollmann
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Beal, Deutsch, Harrison, Hawley, Kirschman, Novstrup (Al), Stalzer, Wiik, Willadsen, Wollmann, Zikmund, Schoenbeck, Rounds

MOTION: PLACE HB 1107 ON CONSENT CALENDAR

Moved by: Schoenbeck
Second by: Stalzer
Action: Prevailed by voice vote.

HB 1133: regulate vision care plans and vision discount plans.

See minutes of Wednesday February 11, 2015 for further testimony

Proponents: Bob Riter, South Dakota Optometric Society
Opponents: Bill Van Camp, National Association of Vision Care Plans

MOTION: AMEND HB 1133

1133ra

On page 3, line 10, of the printed bill, delete everything after "without" and insert "written notice of the change in a procedure affording the provider an opportunity to discontinue participation therein as a result of the change in the plan."

On page 3, delete line 11.

Moved by: Schoenbeck
Second by: Willadsen
Action: Prevailed by voice vote.

MOTION: DEFER HB 1133 TO THE 41ST LEGISLATIVE DAY

Moved by: Hawley
Second by: Wiik
Action: Prevailed by roll call vote. (8-4-1-0)

Voting Yes: Harrison, Hawley, Novstrup (Al), Wiik, Willadsen, Wollmann, Zikmund, Rounds

Voting No: Beal, Deutsch, Kirschman, Schoenbeck

Excused: Stalzer

Gavel was passed to Representative Schoenbeck, Vice Chair

HB 1181: authorize the manufacture of cider in certain amounts.

Presented by: Representative Tim Rounds
Proponents: Ken Jorgensen, Self, Brandon
Opponents: Jason Evans, Department of Revenue
Bob Riter, SD Beer Distributors

MOTION: AMEND HB 1181

1181ya

On page 1, line 6, delete "eight point five" and insert "ten".

On page 1, line 7, of the printed bill, delete "distillery, brewery,".

On page 2, line 12, delete everything after "off-sale".

Moved by: Wiik
Second by: Deutsch
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1181 AS AMENDED

Moved by: Wollmann
Second by: Hawley
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1181 TO THE 41ST LEGISLATIVE DAY

Moved by: Willadsen
Second by: Kirschman
Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Beal, Deutsch, Harrison, Kirschman, Stalzer, Wiik, Willadsen, Schoenbeck

Voting No: Hawley, Novstrup (Al), Wollmann, Zikmund, Rounds

HB 1123: authorize alcoholic beverages to be sold, served, and consumed in certain on-sale licensees during an extended period of time.

Presented by: Representative Tim Rounds

Proponents: Roger Tellinghuisen, Deadwood Gaming Association

Brad Hemman, Self, Deadwood

Caleb Arceneaux, Liv Hospitality, Deadwood

Steve Schaeffer, Self, Deadwood

Mary Beth Seamands, Self, Deadwood

Opponents: Dale Bartscher, Family Heritage Alliance Action

Cindy Flakoll, Concerned Women for America Legislative Action Committee

MOTION: DO PASS HB 1123

Moved by: Willadsen

Second by: Wollmann

Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Beal, Deutsch, Harrison, Hawley, Kirschman, Novstrup (Al), Wiik, Willadsen, Wollmann, Rounds

Voting No: Stalzer, Zikmund, Schoenbeck

Gavel returned to Representative Rounds, Chair

MOTION: ADJOURN

Moved by: Willadsen

Second by: Wiik

Action: Prevailed by voice vote.

Pam Kean
Committee Secretary

Tim Rounds, Chair